

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

LIZETH JIMENEZ, AYREANNE BORDEAUX,
KRYSTINE AQUINORORALDO, and REGINA
BERRIOS, individually and on behalf of all others
similarly situated,

Case No. 3:23-cv-01786-YY

Plaintiffs,

ORDER

v.

MARS, INC., MARS PETCARE US, INC., MMI
HOLDINGS, INC., MEDICAL MANAGEMENT
INTERNATIONAL, INC. d/b/a BANFIELD PET
HOSPITAL, and VCA INC.,

Defendants.

The parties in this putative class action filed a Joint Stipulation to Dismiss and Joint Motion to Sever (ECF 42) whereby the parties have agreed that claims against certain defendants should be dismissed, and have jointly moved for an order severing a portion of the claims and parties from this case and transferring them to the Northern District of California. Based on the parties' stipulation, the court ORDERS as follows:

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), plaintiffs' claims against defendants Mars, Inc., Mars Petcare US, Inc., and MMI Holdings, Inc. are dismissed with prejudice and each party shall bear their own fees and costs. Joint Stipulation 3, ECF 42.

Plaintiffs Lizeth Jimenez and AyreAnne Bordeaux's claims against defendant VCA, Inc. are severed from this case under Rule 21, and are transferred to the United States District Court for the Northern District of California under 28 U.S.C. § 1404(a). Upon transfer, plaintiffs Jimenez and Boredeaux shall file a new complaint against defendant VCA. In the stipulation, defendant VCA expressly waived all arguments as to jurisdiction and venue in the Northern District of California. Joint Stipulation 3, ECF 42.

The claims by plaintiffs Krystine Aquino-Roraldo and Regina Berrios against defendant Medical Management International, Inc. d/b/a Banfield Pet Hospital ("Banfield"), shall remain in this district, and plaintiffs Aquino-Roraldo and Berrios shall file a Second Amended Complaint against defendant Banfield within 30 days of this Order. In the stipulation, defendant Banfield expressly waived all arguments as to jurisdiction and venue in the District of Oregon. Joint Stipulation 3, ECF 42.

Finally, given the parties' joint stipulation, defendants' currently pending motion to dismiss (ECF 22) is denied as moot.

IT IS SO ORDERED.

DATED December 11, 2024.

/s/ Youlee Yim You
Youlee Yim You
United States Magistrate Judge